

Surface Mining Reclamation and Enforcement, Interior

§ 942.25

coal mining and reclamation operations.

§ 941.846 Individual civil penalties.

Part 846 of this chapter, *Individual Civil Penalties*, shall apply to the assessment of individual civil penalties under section 518(f) of the Act.

[53 FR 3676, Feb. 8, 1988]

§ 941.955 Certification of blasters.

Part 955 of this chapter, *Certification of Blasters in Federal Program States and on Indian Lands*, shall apply to the training, examination and certification of blasters for surface coal mining and reclamation operations.

[51 FR 19462, May 29, 1986]

PART 942—TENNESSEE

Sec.

942.20 Approval of Tennessee reclamation plan for lands and waters affected by past coal mining.

942.25 Approval of Tennessee abandoned mine land reclamation plan amendments.

942.700 Tennessee Federal program.

942.701 General.

942.702 Exemption for coal extraction incidental to the extraction of other minerals.

942.707 Exemption for coal extraction incident to government-financed highway or other construction.

942.761 Areas designated unsuitable for surface coal mining by act of Congress.

942.762 Criteria for designating areas as unsuitable for surface coal mining operations.

942.764 Process for designating areas unsuitable for surface coal mining operations.

942.772 Requirements for coal exploration.

942.773 Requirements for permits and permit processing.

942.774 Revision; renewal; and transfer, assignment, or sale of permit rights.

942.775 Administrative and judicial review of decisions.

942.777 General content requirements for permit applications.

942.778 Permit applications—Minimum requirements for legal, financial, compliance, and related information.

942.779 Surface mining permit applications—Minimum requirements for information on environmental resources.

942.780 Surface mining permit applications—Minimum requirements for reclamation and operation plan.

942.783 Underground mining permit applications—Minimum requirements for information on environmental resources.

942.784 Underground mining permit applications—Minimum requirements for reclamation and operation plan.

942.785 Requirements for permits for special categories of mining.

942.795 Small operator assistance program.

942.800 Bond and insurance requirements for surface coal mining and reclamation operations.

942.815 Performance standards—Coal exploration.

942.816 Performance standards—Surface mining activities.

942.817 Performance standards—Underground mining activities.

942.819 Special performance standards—Auger mining.

942.823 Special performance standards—Operations on prime farmland.

942.824 Special performance standards—Mountaintop removal.

942.827 Special performance standards—Coal preparation plants not located within the permit area of a mine.

942.828 Special performance standards—In situ processing.

942.842 Federal inspections.

942.843 Federal enforcement.

942.845 Civil penalties.

942.846 Individual civil penalties.

942.955 Certification of blasters.

AUTHORITY: 30 U.S.C. 1201 *et seq.*

SOURCE: 49 FR 38892, Oct. 1, 1984, unless otherwise noted.

§ 942.20 Approval of Tennessee reclamation plan for lands and waters affected by past coal mining.

The Tennessee Reclamation Plan, as submitted on March 24, 1982, is approved. Copies of the approved program are available at:

Office of Surface Mining Reclamation and Enforcement, 530 Gay Street, Suite 500, Knoxville, Tennessee 37902

State of Tennessee Department of Conservation, Division of Surface Mining and Reclamation, 305 West Springvale, Knoxville, Tennessee 37917

Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 5315, 1100 'L' Street, NW, Washington, DC 20240.

§ 942.25 Approval of Tennessee abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these

§ 942.700

30 CFR Ch. VII (7–1–13 Edition)

amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this

table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of publication of final rule	Citation/Description of approved provisions
April 6, 2011	February 12, 2013	Revised AML Plan. TCA Section 59–8–324(m).

[78 FR 9807, Feb. 12, 2013]

§ 942.700 Tennessee Federal program.

(a) This part contains all rules that are applicable to surface coal mining operations in Tennessee which have been adopted under the Surface Mining Control and Reclamation Act of 1977.

(b) Certain of the rules in this part cross-reference pertinent parts of the permanent program regulations in this chapter. The full text of a cross-referenced rule is in the permanent program rule cited under the relevant section of this part.

(c) This part applies to all surface coal mining operations in Tennessee conducted on non-Federal and non-Indian lands. To the extent required by part 740 of this chapter, this part also applies to operations on Federal lands in Tennessee.

(d) The information collection requirements contained in this part have been approved by the office of Management and Budget under 44 U.S.C. 3507 and assigned the following clearance numbers: 1029–0007, 1029–0009, 1029–0032, 1029–0033, 1029–0034, 1029–0035, 1029–0036, 1029–0038, 1029–0039, 1029–0040, 1029–0041, 1029–0043, 1029–0047, 1029–0048, 1029–0049, 1029–0080.

§ 942.701 General.

(a)(1) Except as provided in paragraphs (a)(2) and (a)(3) of this section, §§ 700.5, 700.11, 700.12, 700.13, 700.14, 700.15 and part 701 of this chapter shall apply to coal exploration and surface coal mining and reclamation operations.

(2) The definition of *support facilities* in § 701.5 of this chapter shall not apply to surface coal mining and reclamation operations.

(3) The definitions of *surface coal mining operations* in § 700.5, and *coal preparation or coal processing and coal preparation plant* in § 701.5 of this chapter

shall include facilities which leach, chemically process, or physically process coal.

(b) Surface coal mining and reclamation operations in Tennessee which do not have a permanent program permit issued by the State of Tennessee prior to the effective date of this program, but which filed a permit application on a timely basis and were allowed to operate under the Tennessee State program, may continue to operate until the Office issues or denies a permit if they: (1) Comply with Subchapter B of this chapter until issuance or denial of a permit under this program; (2) authorize transfer to OSM of any permit application pending with the State regulatory authority; and (3) provide to the Office on a timely basis any requested additional information necessary to make a complete permit application.

(c) Persons engaged in underground mining activities which do not have and did not apply for a permanent program permit from the State of Tennessee prior to the effective date of this program, but which were allowed to operate under the Tennessee State program, may continue to operate beyond eight months after the effective date of this program if they: (1) Within two months of the effective date of this program apply to OSM for a permit; (2) comply with Subchapter B of this chapter until issuance or denial of a permit under this program; and (3) provide to the Office on a timely basis any requested additional information necessary to make a complete permit application.

(d) Persons operating facilities which leach, chemically process, or physically process coal which do not have a permanent program permit from the